

## **REMARKS**

### **Claim Status**

Claims 12-18 are pending. Claim 14 is amended with this paper.

### **Claim Rejections – 35 USC 102**

Claims 14-17 are rejected under 35 USC 102(b) as being anticipated by Pueschel *et al.* (US 6,361,126).

Applicant respectfully submits that Pueschel does not anticipate all of the elements of amended Claim 14.

Claim 14 is herewith amended to clarify that the operating point of the vacuum booster is lowered by a predetermined operating point-reduction pressure value. In other words the operating point value is lowered by a step value. The specification provides 5 bar as an example of a predetermined operating point-reduction value.

As best understood Pueschel does not activate the hydraulic pump based on an operating point that is reduced by a predetermined operating point-reduction value. Instead, Pueschel appears to activate the hydraulic pump based on a continuous function that is based on time derivatives of the master cylinder pressure and the differential pressure between the working chamber and the ambient pressure ( $d\text{pHZ}/dt$  and  $d \Delta \text{pB}/dt$ , respectively.) Since Pueschel activates the pump motor based on a continuous function as opposed to Applicant activating the pump based on moving the operating point by a predetermined step size, Applicant respectfully submits that Pueschel does not anticipate amended Claim 14. Applicant therefore submits that Claim 14 is in a condition for allowance.

Claims 12-13 and 15-18 depend either directly or indirectly from claim 14 and are believed to be in condition for allowance for at least the same reason as claim 14.

## **CONCLUSION**

Accordingly, Applicant believes that the claims as amended overcome the raised

objections and rejections and are in a condition for allowance.

Respectfully submitted,

/Edwin W. Bacon, Jr./

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